FARAD CONSTITUTION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE,
NAGPUR BENCH, NAGPUR

CIVIL APPLICATION NO. 3433/2007

Smt. Anandibai wd/o Yadao Gedam and others
...Versus...
State of Maharashtra through its Secretary, Revenue and Forest Department, Bombay Secretariat – 32 and others

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Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

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(Shri A.S. Bhendarkar, Adv. for applicants)
(A.G.P. for respdt. Nos.1 to 3)
(S/Shri N.S. & S.N. Bhattad, Advs. for respdt. No.4)

CORAM:- A.B. CHAUDHARI, J.
DATED :- 11.07.2007.

This civil application has been taken out by the applicants for condonation of delay in filing application for restoration of the writ petition, which was dismissed in default.

Shri Bhendarkar, learned Counsel for the applicants submits that he has given detailed reasons in the application for condonation of delay, supported by his affidavit and prays for condoning the delay of five months in filing application for restoration.

Learned A.G.P. for respondent Nos.1 to 3 as well as Shri Bhattad, Counsel for respondent No.4 opposed the application on the ground that no sufficient reasons are shown for condoning the delay.

Having heard Counsel for the applicants, A.G.P. for respondent Nos.1 to 3 and Counsel for respondent No. 4, I am satisfied that there are reasons to condone the delay. Civil Application is, therefore, allowed. Delay is condoned.

MISC. CIVIL APPLICATION ST. NO.7519/2007

Heard Counsel for applicants, A.G.P. for respondent Nos.1 to 3 and Counsel for respondent No.4.

Having condoned delay in filing application for restoration and having seen the reasons mentioned in the application, I am satisfied that the case has been made out for restoration of the writ petition. Civil Application is, therefore, allowed. Writ Petition is restored to file. Applicants to take necessary steps within a period of four weeks.

JUDGE

ssw